

1 DENNIS J. HERRERA, State Bar #139669
2 City Attorney
3 JOANNE HOEPER, State Bar #114961
4 Chief Trial Deputy
5 SCOTT D. WIENER, State Bar #189266
6 Deputy City Attorney
7 1390 Market Street, 7th Floor
8 San Francisco, California 94102-5408
9 Telephone: (415) 554-4283
10 Facsimile: (415) 554-3837

11 Attorneys for Defendants
12 CITY AND COUNTY OF SAN FRANCISCO
13 AND KIMBERLY MARIE MOLINA

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

16 RAY M. MILES,

Case No. CV-08-2736 CW

17 Plaintiff,

**STIPULATION AND ORDER RE
SERVICE AND ANSWER OF
DEFENDANT KIMBERLY MARIE
MOLINA (ERRONEOUSLY NAMED
HEREIN AS MARIE KIM)**

18 vs.

Date Action Filed: January 16, 2008
19 Trial Date: None Set

20 CITY AND COUNTY OF SAN
21 FRANCISCO, MARIE KIM and DOES 1
22 TO 100, inclusive,

23 Defendants.

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1 The parties hereby agree and stipulate as follows:

2 1. Defendant Kimberly Marie Molina (erroneously sued herein as Marie Kim) is
3 deemed to have been personally served with summons and complaint.

4 2. The answer (including without limitation the denial, affirmative defenses, and prayer
5 for relief) filed in Superior Court by the City and County of San Francisco shall also be deemed to
6 be the answer of Defendant Kimberly Marie Molina. Defendant Kimberly Marie Molina therefore
7 will not need to file an answer in addition to the City's answer filed in Superior Court.

8 Dated: September 2, 2008

9 DENNIS J. HERRERA
10 City Attorney
11 JOANNE HOEPER
12 Chief Trial Deputy
13 SCOTT D. WIENER
14 Deputy City Attorney

15 -/s/- *Scott D. Wiener*

16 By: _____
17 SCOTT D. WIENER
18 Attorneys for Defendants
19 CITY AND COUNTY OF SAN FRANCISCO AND
20 KIMBERLY MARIE MOLINA

21 Dated: September 2, 2008

22 WINSLOW & HURTUBISE

23 -/s/- *Gregory F. Winslow*

24 By: _____
25 GREGORY F. WINSLOW
26 Attorneys for Plaintiff RAY MILES

27 SO ORDERED.

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9/11/08

HON. CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

DATE